



February 8, 2006

Vermont Public Service Board
112 State Street
Drawer 20
Montpelier, VT, 05620-2701
Attn: Ed McNamara, Esq.

RE: EEC Exemption Mechanism

Mr. McNamara,

Thank you for allowing Ben & Jerry's the opportunity to comment on the "Mechanism for Seeking Exemption from Paying the Energy Efficiency Charge".

Ben & Jerry's understands the concept that the Energy Efficiency Utility (EEU) program will ultimately benefit all Vermont ratepayers due to its influence on rates. We believe that in general, the program delivers energy efficiency in an effective manner. We also believe that the legislative request to allow companies an exemption from the program should be used as another mechanism to achieve cost effective energy efficiency. Opting out of the program should not relive a company of the need to use energy efficiently and responsibly.

Due to the process requirements of making our product, Ben & Jerry's is a large consumer of electricity. High on our list of social values is our commitment to energy efficiency. One of our plant goals is to become the most energy efficient ice cream manufacturing facility in the country.

Currently, the amount of money we spend on EEU charges directly reduces the amount that we have available to implement efficiency projects. If these funds were available to fund projects directly, we would be able to implement more projects per year, achieve savings more cost effectively than the EEU and our efforts would continue to have a positive impact on all Vermont rate payers. Our complicated processes and proprietary systems make it cumbersome and time consuming for a third party to become familiar enough with our systems to recommend significant improvements. Our in-house technical expertise allows us to identify and engineer cost effective efficiency projects. The ability to implement these projects is impacted by our payments to the EEU.

PO Box 240/Waterbury, VT 05676 tel: 802/882-1240 online: www.benjerry.com



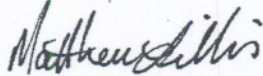
From:

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Ben & Jerry's requests that the Board develop a mechanism to opt out of the EEU program that is based upon the company's ability to achieve savings more cost effectively than the EEU and that the avoided EEU charges be used to determine the minimum amount spent on efficiency projects.

We appreciate the opportunity to comment on this issue and would be interested in discussing these matters in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Lillis". The signature is written in a cursive, slightly slanted style.

Matt Lillis, PE
Engineering Services Manager
Ben & Jerry's
Waterbury Plant